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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 OAKLAND DIVISION

13 IN RE:) CR 4:21-xr-90038-NC
14 REQUEST FROM KAZAKHSTAN,) Order Appointing Commissioner
15)
16)

17 Upon application of the United States, and upon review of the request seeking evidence pursuant
18 to a request for legal assistance made by Kazakhstan to the United States, and the Court having fully
19 considered this matter,

20 IT IS HEREBY ORDERED, pursuant to the authority conferred by 18 U.S.C. § 3512 and this
21 Court's inherent authority, that Assistant United States Attorney Maureen C. Bessette is appointed
22 Commissioner of this Court for purposes of executing the request from the requesting foreign authorities
23 to collect evidence, including obtaining documents and taking testimony, and other acts as necessary to
24 comply with the treaty request. In executing the request, the following rules shall govern:

- 25 1. The Commissioner may issue a Commissioner's Subpoena to be served within the United States
26 ordering a person or company to appear, testify, and produce evidence; and the Commissioner
27 may administer oaths in the taking of evidence;
28 2. The Commissioner may adopt procedures to collect the evidence requested by the requesting

ORDER APPOINTING COMMISSIONER

FILED

Jan 8 2021

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

- 1 foreign authorities in their request, using procedures provided by treaty, if any;
- 2 3. The Commissioner may be accompanied by or represented by persons in the collection of the
- 3 evidence, including agents of the Internal Revenue Service, and may be accompanied by
- 4 representatives of the requesting foreign authorities;
- 5 4. A person or company can object by motion timely filed with this Court;
- 6 5. The Commissioner may seek such further orders of this Court as are necessary to execute the
- 7 Request, including orders to show cause why persons served with Commissioner Subpoenas who
- 8 fail to appear and/or produce evidence should not be held in contempt, and protective orders to
- 9 regulate the use of evidence collected; and
- 10 6. The Commissioner shall certify and submit the evidence collected to the U.S. Department of
- 11 Justice, or as otherwise directed, for transmission to the requesting foreign authorities.

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13 DATED: January 8, 2021

